

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Elliott Richelson et al.                      Art Unit : 1636  
Serial No. : 10/799,238                                      Examiner : Janet L. Epps Ford  
Filed : March 12, 2004  
Title : USING POLYAMIDE NUCLEIC ACID OLIGOMERS TO ENGENDER A  
BIOLOGICAL RESPONSE

**Mail Stop AF**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TERMINAL DISCLAIMER UNDER 37 C.F.R. §§ 3.73(b) AND 1.321(b)**

Pursuant to 37 C.F.R. § 3.73(b), MAYO FOUNDATION FOR MEDICAL EDUCATION AND RESEARCH certifies that it is the assignee of the entire right, title, and interest in the above-referenced application by virtue of an assignment from the inventors of the patent application referenced above. The assignment was recorded in the Patent and Trademark Office at Reel 9738, Frame 0608 on February 3, 1999. MAYO FOUNDATION FOR MEDICAL EDUCATION AND RESEARCH also certifies that it is the assignee of U.S. Patent No. 6,989,270.

The undersigned is empowered to act on behalf of the assignee.

Pursuant to 37 C.F.R. § 1.321(b), and to obviate a double patenting rejection, the assignee referenced above hereby waives and disclaims the terminal portion of the term of the entire patent to be granted upon the above-referenced application subsequent to the expiration date of U.S. Patent No. 6,989,270, provided that any patent granted on the above-referenced application shall be enforceable only for and during such period that it is commonly owned with U.S. Patent No. 6,989,270.

The assignee referenced above does not disclaim any terminal part of any patent granted on the above-referenced application prior to the expiration date of the full statutory term of U.S. Patent No. 6,989,270 in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to expiration of its statutory term, except for the separation of legal

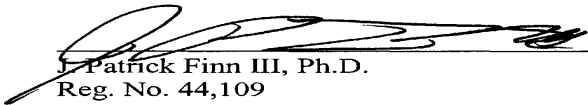
title as stated above. Assignee herein does not disclaim or otherwise affect any part of U.S.  
Patent No. 6,989,270.

This disclaimer runs with any patent granted on the above-referenced application and is  
binding upon the grantee, its successors or assigns.

Please charge any fees, or make any credits, to Deposit Account No. 06-1050,  
referencing Attorney Docket No. 07039-126002.

Respectfully submitted,

Date: September 11, 2006

  
J. Patrick Finn III, Ph.D.  
Reg. No. 44,109

Fish & Richardson P.C.  
60 South Sixth Street, Suite 3300  
Minneapolis, MN 55402  
Telephone: (612) 335-5070  
Facsimile: (612) 288-9696